

CHAPTER XXX

BUILDING CODE

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30.01 BUILDING CODE ADOPTED. The Wisconsin Building & Heating, Ventilating & Air Conditioning Code, 1986-1987 Edition as may be amended from time to time is hereby adopted by reference as the Village of Elkhart Lake's Building Code.

30.02 UNIFORM DWELLING CODE ADOPTED. The Uniform Dwelling Code, chapters IHLR 20-25 of the Wisconsin Administrative Code, as may be amended from time to time is hereby adopted by reference and is made part of the Municipal Code for the Village of Elkhart Lake as though set forth in full herein.

30.03 ADMINISTRATION AND ENFORCEMENT. The Village Plan Commission or their designee, are hereby authorized and directed to administer and enforce all the provisions of Sec. 30.01 and 30.02 of this chapter.

30.04 PENALTIES FOR VIOLATIONS OF THIS CHAPTER. It shall be unlawful for any person to erect, use, occupy, or maintain any building or structure in violation of any provisions of this chapter, or to cause, permit or suffer any such violations to be committed. Any person violating any of the provisions of this chapter shall, upon conviction, be subject to a forfeiture of not less than Ten Dollars (\$10.00) or more than Two Hundred and Fifty Dollars (\$250.00), together with the costs of prosecution and may be subject to injunctive relief. It shall be the responsibility of the offender to abate the violation as expeditiously as possible, and each day that such violation is continued shall constitute a separate offense. If, in any action, a permit was issued, it shall not constitute a defense, nor shall any error, oversight or dereliction of duty on the part of the Building Inspector constitute a defense. If any penalty provision is provided by the Wisconsin Administrative Code as adopted in this chapter for a violation specified therein, that penalty provision shall control and this section, as far as it conflicts with the provisions of the Wisconsin Administrative Code adopted herein, shall be inapplicable.

30.05 INVALIDITY OF PART. If any section, subsection, paragraph, clause or provision of this code shall be adjudged invalid, such adjudication shall apply only to the provisions so adjudged and the rest of this code shall remain valid and effective.

30.06 SECURITY DEPOSIT REQUIRED.

(1) A deposit or escrow is required for all projects that a total cost, including labor, materials, and supplies, will equal or exceed \$80,000 dollars. The deposit amount will be set periodically by Resolution of the Board of Trustees.

(2) The deposit shall be refunded after the project is completed and the building inspector and Village zoning administrator have found that the building complies with all applicable codes and that any damage to village infrastructure (sidewalks, streets, sanitary sewer, storm sewer, water supply system and erosion control) has been properly repaired or replaced.

(3) The deposit shall be forfeited if occupancy occurs before final inspection or extends after a temporary occupancy permit expires. The protection of person & property committee, in its discretion, may require the owner or contractor responsible for damage to any village infrastructure to repair or replace any such damage within a reasonable period of time, or require the owner or contractor to forfeit any or all of the deposit. Forfeiture of the deposit shall be an additional ordinance enforcement remedy and shall not limit or prohibit the village from any other remedies available at law or in equity.

(4) The deposit required pursuant to subsection (1) of this section is not required for any remodeling project that does not expand, enlarge, alter or reduce the exterior dimensions or foot print of an existing structure.

30.07 PLAN EXAMINATION AND APPROVAL FEES. Plans showing design and construction details, design computations and specifications submitted for examination and approval as required by the Wisconsin Administrative Code, Safety & Professional Services Chapters 320-325 also known as the Safety, Buildings, and Environment Uniform Dwelling Code, shall be accompanied by fees. A schedule of fees for plan examination, approval, and permits shall be set periodically by Resolution of the Board of Trustees.